

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

NEW START ASSET RECOVERY LLC,

Plaintiff,

vs.

TRUSTEE CORPS,

Defendant.

Case No. 2:15-cv-01940-JAD-CWH

**REPORT & RECOMMENDATION**

On June 7, 2016, the Court entered an order requiring Plaintiff New Start Asset Recovery, LLC to file proof of service showing that it timely served Defendant Trustee Corps or to move to extend time to serve Trustee Corps (Order (ECF No. 18) at 2.) Plaintiff's deadline for filing proof of service or moving to extend time to serve Trustee Corps was July 7, 2016. (*Id.*) Given that Plaintiff is a limited liability company and is not represented by an attorney, the Court also ordered Plaintiff to retain an attorney by July 7, 2016. (*Id.*) The Court explicitly warned Plaintiff that failure to comply with the order would result in a recommendation that this case be dismissed without prejudice. (*Id.*)

Plaintiff has not filed proof of service as to Trustee Corps and an attorney has not appeared on behalf of Plaintiff. In light of Plaintiff's failure to comply with the Court's order, the Court will recommend that all claims against Defendant Trustee Corps be dismissed without prejudice under Fed. R. Civ. P. 4(m). Given that Trustee Corps is the last remaining defendant, the Court further will recommend that this case be closed.


IT IS THEREFORE RECOMMENDED that all claims against Defendant Trustee Corps be dismissed without prejudice under Fed. R. Civ. P. 4(m) and that this case be closed.

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**NOTICE**

This Report and Recommendation is submitted to the United States District Judge assigned to this case under 28 U.S.C. § 636(b)(1). A party who objects to this Report and Recommendation may file a written objection supported by points and authorities within fourteen days of being served with this Report and Recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may waive the right to appeal the District Court's Order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).

DATED: July 12, 2016

  
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**C.W. Hoffman, Jr.**  
**United States Magistrate Judge**